THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.16317 of 2000

Dated:11.07.2006

Between:

Smt.Kalluri Sujatha.

…Petitioners

and

The Mandal Revenue Officer, Madanapalle Mandal, Chittoor District.

…Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.16317 of 2000

ORDER:

The petitioner statedly is the owner of agricultural land admeasuring Ac.1.05 cents comprised in Survey No.424/6 of Yenumulavaripalle Village, Madanapalle Mandal in Chittoor District. She inherited the property, which had a bore-well. The respondent issued the impugned notice purportedly under the Andhra Pradesh Ground Water (Regulation for drinking water purposes) Act, 1996. This Court while admitting the writ petition on 05.09.2000 passed interim orders suspending the impugned notice. As a result of such interim order, the petitioner is using the bore-well regularly.

It is now brought to the notice of this Court that the Andhra Pradesh Ground Water (Regulation for drinking water purposes) Act, referred to hereinabove, has since been repealed by the Andhra Pradesh Water, Land and Trees Act, 2002 (for short 'the Act'), and when a bore-well is dug in contravention of the provisions of the Act, it is open to the Mandal Revenue Officer to take action for closure of the bore-well under Section 15 of the Act or Rule 15 of the Andhra

Pradesh Water, Land and Trees Rules, 2004 (for short 'the Rules').

Therefore, this Writ Petition is disposed of setting aside the impugned order, and also giving liberty to the respondent to enquire into the matter and if it is found that the petitioner's bore-well contravenes any provisions of the Act or the Rules, take necessary action in accordance with the provisions of the Act. No costs.

_____

(V.V.S.RAO, J)

11.07.2006
vs